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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,154	06/14/2001	Thomas E. Kretschmar	ILD	6845

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EXAMINER

TON, ANABEL

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 02/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/881,154

Applicant(s)

KRETZSCHMAR ET AL.

Examiner

Anabel M Ton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-19 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5 and 20 is/are rejected.
- 7) ☒ Claim(s) 4 and 6-10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Roman et al (6,241,366).

Roman discloses a housing (12); a mounting assembly that is received by the housing and which comprises a frame having an annular flange and two retainer walls extending perpendicularly to the plane of the flange and parallel to each other on opposite sides of the opening defined by the flange (18); a contour light projector that is mounted on the mounting assembly (fig 4); and a light beam contour mask that is received by the projector (86);

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Arai (4,468,720).
4. Arai discloses a contour light projector mask comprising a plurality of shutter blades arrayed about the central axis of a holding ring of the light projector and held between the ring and a seating surface of the light projector such that the blades may be selectively manipulated between the ring and the seating surface to determine a contour for a light beam produced by the projector, wherein each blade has a concave edge toward the central axis of the holding ring, and wherein each blade has a tab, and one blade has two tabs extending laterally in opposite directions from that blade, such that the blades may be manipulated by the tabs to effect the contour of the light beam (figs 2 and 3).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roman et al as applied to claim 1 above, and further in view of Wendellighting Model 1180 Optical projector lighting system (cited as C1 in first page of form PTO 1449).

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7. Roman discloses the lighting device as disclosed above mentioned lighting system. The Wendellighting model 1180 discloses a light projector comprising a housing assembly, a lamp; a condensing lens; an optical bench mounted within the housing, and which comprises an elongate base to which at least one clamp is attached to hold the lamp and the condensing lens; and an objective lens. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the light projector as disclosed by Wendellighting implemented in the instant invention, since as taught by Wendellighting, such a projector is well known in the art for its use in interior lighting.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roman et al as applied to claim 1 above, and further in view of Arai (4,468,720).

9. Roman discloses the lighting system as defined above. Arai discloses a mask comprising a plurality of shutter blades arrayed about the central axis of a holding ring as part of the light projector and held between the ring and a seating surface as part of the light projector such that the blades may be selectively manipulated between the ring and the seating surface to determine a contour for a light beam produced by the projector, wherein each blade has a concave edge toward the central axis of the holding ring, and wherein each blade has a tab, and one blade has two tabs extending laterally in opposite directions from that blade, such that the blades may be manipulated by the tabs to effect the contour of the light beam. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the mask device as taught by Arai in the lighting system as defined above since such a device is well

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known in the art for its use in projector systems for the purpose of manipulating a desired light beam output.

***Allowable Subject Matter***

10. Claims 4 and 6-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claim 11-19 and 21 are allowed.

- A lighting system as defined in Claim 1 wherein the mounting assembly further comprises: a. a saddle including a cross member and two end walls extending perpendicularly to the cross member and parallel to each other at opposite ends of the cross member, and a curved seat at the middle of the cross member on which the light projector may be selectively positioned and fixed to the saddle; and b. a dual pivot system, as parts of the retainer walls and the end walls, providing two pivot axes whereby the saddle may pivot in a first arc about a first pivot axis relative to the frame and may pivot in a second arc about a second pivot axis relative to the frame.
- A mounting assembly for receiving and holding a light projector, comprising the following: a. a frame including an annular flange and two retainer walls extending perpendicularly to the plane of the flange and parallel to each other on opposite sides of the opening defined by the flange; b. a saddle including a cross member and two end walls extending perpendicularly to the cross member and parallel to

each other at opposite ends of the cross member, and a curved seat at the middle of the cross member on which the light projector may be selectively positioned and fixed to the saddle; and a dual pivot system, as parts of the retainer walls and the end walls, providing two pivot axes whereby the saddle may pivot in a first arc about a first pivot axis relative to the frame and may pivot in a second arc about a second pivot axis relative to the frame.

- A contour light projector mask comprising a glass plate having affixed thereto a photosensitized tape that is exposed to light and developed, and in which tape an opening is made to determine a contour for a light beam produced by the projector.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M Ton whose telephone number is (703) 305-1084. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (703) 305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

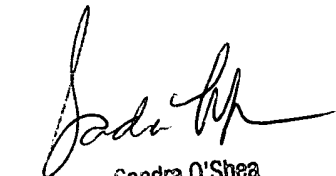
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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Anabel M Ton  
Examiner  
Art Unit 2875

AMT  
February 14, 2003



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